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Attorney for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America,)	No. CR 08-612-PHX-NVW
)	
Plaintiff,)	
)	DEFENDANT'S SENTENCING
vs.)	MEMORANDUM AND
)	RECOMMENATION
Natasha Swallows-Feagins, et al.,)	
)	
)	
Defendant.)	
_____)	

COMES NOW Defendant Natasha Swallows-Feagins, by and through her undersigned attorney, pursuant to 18 U.S.C. 3553(a), U.S. v. Booker, 543 U.S. 220 (2005), the Due Process Clause of the 5th Amendment to the U.S. Constitution, and the advisory United States Sentencing Guidelines, and respectfully submits the attached memorandum and recommendation for the court's consideration at sentencing.

MEMORANDUM

Counsel for Natasha Swallows-Feagins submits this sentencing memorandum and recommends that the Court accept the Plea Agreement and place her on probation.

Defendant is not in agreement with the recommendation in the Presentence Report wherein the Probation Department is recommending a sentence of 15 months incarceration.

Defendant is in agreement with the Government's recommendation in its Sentencing Memorandum and Recommendation (Document Number 584) and adopts the Government's Memorandum and incorporates it herein as part of this Memorandum.

Regarding the factual background of his case, Natasha Swallows-Feagins' position is that she was working with the Dobos and unfortunately following Mr. Dobos' advice in regards to a number of the transactions involved in this case.

Further, Natasha feels it's important for the Court to be aware that there was a taped phone call between Natasha and Heather Stratford. That phone call was made under the supervision and at the direction of the FBI and the purpose of that call was for Heather Stratford to try to get inculpatory statements from Natasha in the prosecution of this case. However, when Heather called Natasha, Natasha was not available, however, Natasha returned her phone call and during the

1 conversation, Heather advised Natasha that she had been contacted by the FBI and
2 that she was worried and wanted to know what was going on. Heather further
3 asked Natasha what she should tell the agents and Natasha, without knowing she
4 was being recorded and that the FBI was listening in on the call, told Heather to
5 tell them everything and to tell them the truth. Natasha further told Heather that
6 Heather had done nothing wrong and that neither had Natasha and that Natasha
7 had figured there was something wrong towards the end and then at some point
8 she stopped dealing with those individuals regarding further real estate
9 transactions.
10

11
12 Natasha acknowledges that she should have reacted differently during the
13 course of these transactions and that she made mistakes and that she should have
14 reported the irregularities to the authorities. She is extremely remorseful and she
15 has suffered greatly as a result of her actions.
16

17
18 Natasha is married to a retired police officer and they are a law abiding
19 family, a family who is very connected to her community and her church. She
20 does volunteer work both in the community and in the church and has always been
21 a very positive member of her family and of her community.
22

23
24 Currently, Natasha is over six months pregnant and is very hopeful that the
25 Court will accept the Plea Agreement and place her on probation. It is obvious
26 from the way she has performed on supervised release that she is not a threat to the
27
28

1 community and that she will never be involved in this type of activity again. As a
2 result of this conviction, she will lose her real estate license and she will have to
3 find another type of employment. Also, because she has a child on the way, she
4 will need to stay home to take care of her newborn child and her other children.
5 The Presentence Report adequately reports her family situation and we would refer
6 the Court to the Presentence Report for the details contained therein.
7

8
9 We would refer the Court to the Government's analysis of the factors
10 pursuant to 5K1.1 and we incorporate them herein and are in full agreement with
11 all of the statements made therein.
12

13
14 Natasha is also in agreement with the conclusions stated in the
15 Government's Memorandum and would like to ask that a sentence of probation
16 would be more than adequate to monitor her activities in the future and to protect
17 the community and promote the interest of justice.
18

19 In conclusion, Natasha asks the Court to accept the Plea Agreement and
20 place her on probation with whatever conditions the Court thinks are appropriate
21 based on the circumstances of this case.
22

23 RESPECTFULLY SUBMITTED this 4th day of June, 2010.
24

25
26 s/Baltazar Iniguez
27 BALTAZAR INIGUEZ
28 Attorney for Defendant Natasha Swallows

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically transmitted the attached documents to the Clerk's Office using the CM/ECF System for filing and transmittal of Notice of Electronic filing to the following CM/ECF registrants: Kevin Rapp.

Copy of the foregoing faxed this 4th day of June, 2010, to:

Heather Hauptly
Senior U.S. Probation Officer